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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

CHASE PAYNE, individually and on behalf
 of all others similarly situated,

Plaintiff,

vs.

BP SOLUTIONS LLC; AYR WELLNESS
 HOLDINGS LLC, EMPLOYEE(S)/AGENT(S)
 DOES 1-10; and ROE CORPORATIONS 11-
 20, inclusive;

Defendants.

Case No: 2:21-cv-01578-ART-BNW

**STIPULATION AND ORDER TO
 EXTEND SCHEDULING ORDER
 DEADLINES**

(Second Request)

Pursuant to LR IA 6-1, 6-2, and 26-3, Plaintiff Chase Payne ("Plaintiff") and Defendants BP Solutions LLC and AYR Wellness Holdings LLC (together "Defendants"), by and through their respective undersigned counsel, hereby stipulate to amend the current scheduling order (ECF No. 59) by extending the outstanding discovery and other deadlines for a period of ninety (90) days. This is the second request for an extension to the scheduling order in this matter.

A. DISCOVERY COMPLETED

Plaintiff served his Fed. R. Civ. P. 26(a)(1)(A) initial disclosures on April 30, 2024. Defendant served its first sets of interrogatories, requests to produce, and requests to admit on March 17, 2025. Additionally, the parties have engaged in extensive discussion regarding potential early resolution in this matter.

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B. DISCOVERY THAT REMAINS TO BE COMPLETED

Plaintiff anticipates taking Defendants' FRCP 30(b)(6) depositions as well as propounding discovery requests in addition to potentially taking depositions of additional witnesses. Defendant will take Plaintiff's deposition, and potentially others, as well. Plaintiff will also respond to Defendant's outstanding discovery requests.

C. REASONS WHY DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN

This extension is necessary and additional good cause exists. The parties have been working together in good faith regarding potential resolution. Also, unfortunately, counsel for both Plaintiff and Defendants have experienced medical issues during the interim of this case. See ECF No. 59 at 2. In addition, the parties have completed briefing on Defendant's Partial Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 65) and are meeting-and-conferring in good faith regarding issues raised therein.

The parties herein continue to work together in good faith to complete discovery and seek potential resolution and request this extension out of an abundance of caution.

D. PROPOSED REVISED DISCOVERY PLAN

1. Discovery Cut-Off Deadline

The discovery cut-off deadline shall be extended for ninety (90) days from June 30, 2025 to **September 29, 2025** (September 28, 2025 falls on a Sunday).

2. Expert Witness Disclosures Deadline

The deadlines to disclose expert witnesses shall be extended from May 1, 2025 to **July 31, 2025**.

3. Dispositive Motions Deadline

The parties shall file dispositive motions thirty (30) days after the extended discovery cut-off date, and therefore, not later than **October 29, 2025**.

4. Joint Pretrial Order Deadline

If no dispositive motions are filed and, unless otherwise ordered by this Court,

1 the Joint Pretrial Order shall be filed thirty (30) days after the date set for filing
2 dispositive motions, and therefore, not later than **November 28, 2025**. In the event
3 dispositive motions are filed, the date for filing the Joint Pretrial Order shall be
4 suspended until thirty (30) days after the Court enters a ruling on the dispositive motions
5 or otherwise by further order of the Court.

6 5. Fed. R. Civ. P. 26(a)(3) Disclosures

7 The pretrial disclosures shall be included within the pretrial order, as per LR 26-
8 1(b)(6).

9 6. Extensions or Modification of the Discovery Plan and Scheduling Order

10 In accordance with Local Rule 26-3, any stipulation or motion for modification or
11 extension of this discovery plan and scheduling order must be made at least twenty-one
12 (21) days prior to the expiration of the subject deadline.

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7. Trial and Calendar Call

No trial has been set in this matter.

Dated this 10th day of April 2025.

Dated this 10th day of April 2025.

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FISHER & PHILLIPS LLP

By: /s/ Christian Gabroy

By: /s/ Scott M. Mahoney

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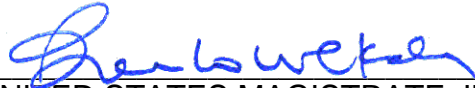
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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

Dated: April 11, 2025